

REMARKS/ARGUMENTS

Claims 1-10 and 12 are pending. By this Amendment, claims 1-10 and 12 are amended. Support for the amendments to claims 1-10 and 12 can be found, for example, in original claims 1-10 and 12. No new matter is added. In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

Objection to the Claims

The Office Action objects to claims 3-5 as including informalities. By this Amendment, claims 3-5 are amended to obviate the objection. Accordingly, reconsideration and withdrawal of the objection are respectfully requested.

Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 1-10 and 12 as indefinite under 35 U.S.C. §112, second paragraph. Applicants respectfully traverse the rejection.

By this Amendment, claims 1-10 and 12 are amended to address aspects of the rejection. In addition, Applicants note that the maximum usage temperature recited in claim 1 is not limited to the thermal damage threshold, as asserted in the Office Action (*see* Office Action, page 3). One of ordinary skill in the art would be readily able to discern the maximum usage temperature for a particular coated substrate and, thus, would be readily able to determine whether a particular method falls within or outside the scope of the present claims. No further specificity is required.

Claims 1-10 and 12 are definite. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Rejection Under 35 U.S.C. §103

A. Yang

The Office Action rejects claims 1-7, 9 and 10 under 35 U.S.C. §103(a) over EP 0 887 437 to Yang et al. ("Yang"). Applicants respectfully traverse the rejection.

Claim 1 recites "[a] process, comprising: forming a coating on at least a portion of a transparent plastic substrate; wherein: the coated substrate has a maximum usage temperature of at least 90°C; forming a coating comprises forming the coating at a temperature that is equal to or exceeds a minimum coating temperature; and the minimum coating temperature is 20°C less than the maximum usage temperature" (emphasis added). Yang does not disclose or suggest such a process.

As indicated above, claim 1 requires that a coating be formed at a temperature that is equal to or exceeds a minimum coating temperature, the minimum coating temperature being 20°C less than a maximum usage temperature. Yang, by contrast, discloses forming a coating "at a temperature at least 20°C below the glass transition temperature." See Yang, page 2, line 58 to page 3, line 1 (emphasis added). Yang provides no teaching or suggestion of selecting a minimum coating temperature based on a maximum usage temperature of the coated substrate that is being prepared. Yang discloses setting a maximum temperature for coating that is unrelated to the minimum temperature for coating selected in claim 1.

For the reasons discussed above, a *prima facie* case of obviousness has not been made. However, even if a *prima facie* case were made, such case is rebutted by the results shown in the present specification – "[a] *prima facie* case of obviousness ... is rebuttable by proof that the claimed compounds possess unexpectedly advantageous or superior properties." See MPEP §2144.09 (citing *In re Papesch*, 315 F.2d 381 (C.C.P.A. 1963)). The Examples of the present specification demonstrate that forming a coating at a temperature that is equal to or exceeds a minimum temperature selected based on the maximum usage

temperature of the coated substrate, such as recited in claim 1, provides superior resistance to microcracking. *See, e.g.*, present specification, page 7, Table. These results are objective evidence of the improvements of the process of claim 1 over known processes as in Yang, and thus these results rebut any suggestion that it would have been obvious to modify the process of Yang as proposed in the Office Action.

The present inventors have discovered a method for slowing down or eliminating the formation of cracks in plastic substrates, e.g., windows, even when the plastic substrates are used at high temperatures. *See, e.g.*, present specification, page 2, lines 11 to 15. Yang does not disclose or suggest the method steps of claim 1, or recognize the benefits stemming therefrom.

As explained, claim 1 would not have been rendered obvious by Yang. Claims 2-7, 9 and 10 depend from claim 1 and, thus, also would not have been rendered obvious by Yang. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

B. Yang and Hunt

The Office Action rejects claim 8 under 35 U.S.C. §103(a) over Yang in view of WO 01/02622 to Hunt et al. ("Hunt"). Applicants respectfully traverse the rejection.

For the reasons discussed above, Yang fails to disclose or suggest each and every feature of claim 1. Hunt does not remedy the deficiencies of Yang. Hunt is cited for its alleged disclosure of forming multiple coatings. *See* Office Action, pages 6 to 7. However, Hunt, like Yang, fails to disclose or suggest forming a coating at a temperature that is equal to or exceeds a minimum coating temperature that is 20°C less than a maximum usage temperature. Accordingly, the combination of references fails to disclose or suggest each and every feature of claim 1.

As explained, claim 1 would not have been rendered obvious by Yang and Hunt. Claim 8 depends from claim 1 and, thus, also would not have been rendered obvious by Yang and Hunt. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

C. Yang and Reed

The Office Action rejects claim 12 under 35 U.S.C. §103(a) over Yang in view of WO 89/01957 to Reed et al. ("Reed"). Applicants respectfully traverse the rejection.

For the reasons discussed above, Yang fails to disclose or suggest each and every feature of claim 1. Reed does not remedy the deficiencies of Yang. Reed is cited for its alleged disclosure of automobile lights formed from polycarbonate. *See* Office Action, page 7. However, Reed, like Yang, fails to disclose or suggest forming a coating at a temperature that is equal to or exceeds a minimum coating temperature that is 20°C less than a maximum usage temperature. Accordingly, the combination of references fails to disclose or suggest each and every feature of claim 1.

As explained, claim 1 would not have been rendered obvious by Yang and Reed. Claim 12 depends from claim 1 and, thus, also would not have been rendered obvious by Yang and Reed. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For the foregoing reasons, Applicants submit that claims 1-10 and 12 are in condition for allowance. Prompt reconsideration and allowance are respectfully requested.

Respectfully submitted,

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